

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,</b>	)	
	)	
<b>Applicant,</b>	)	
	)	<b>Case No.</b>
<b>v.</b>	)	
	)	
<b>ADMIRAL THEATRE, INC.,</b>	)	
	)	
<b>Respondent.</b>	)	

**APPLICATION FOR AN ORDER TO SHOW CAUSE WHY  
ADMINISTRATIVE SUBPOENA SHOULD NOT BE ENFORCED**

(1) This is an action for enforcement of a subpoena *duces tecum*, pursuant to Section 710 of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-9 (“Title VII”).

(2) Jurisdiction is conferred upon the court by Section 706(f)(3), 42 U.S.C. § 2000e-5(f)(3), and by Section 11 of the National Labor Relations Act, 29 U.S.C. § 161, as amended, incorporated in Section 710 of Title VII, 42 U.S.C. § 2000e-9.

(3) Applicant, the Equal Employment Opportunity Commission (the “Applicant” or “EEOC”), is the federal agency charged with the administration, interpretation and enforcement of Title VII, including, *inter alia*, the investigation of charges of unlawful employment practices, and is authorized to bring this action pursuant to Section 710 of Title VII, 42 U.S.C. § 2000e-9.

(4) Respondent is an exotic dance club doing business in the State of Illinois with a facility in Chicago, Illinois.

(5) On April 27, 2022, pursuant to its authority under 29 U.S.C. § 161, incorporated in § 710 of Title VII, 42 U.S.C. § 2000e-9, Applicant issued and served upon Respondent a subpoena *duces tecum*, No. CH-2022-03, requiring Respondent to produce information needed as part of Applicant's investigation of a charge of unlawful employment practices, Charge No. 440-2021-01495, which has been filed against Respondent.

(6) Respondent filed a Petition for Revocation or Modification of the Subpoena. On July 12, 2022, the Commission issued a Determination denying in part Respondent's Petition to Revoke or Modify the Subpoena.

(7) Respondent has refused to comply with Subpoena No. CH-2022-03 as modified.

(8) The accompanying Declarations of Julie Bowman, District Director, and Greger Calhan, Trial Attorney, (filed with the EEOC's Memorandum in Support of Application for Order to Show Cause), and the attachments thereto, provide the factual support for this Application. The Declarations and the attachments are incorporated by reference into this Application.

WHEREFORE, the EEOC respectfully requests this Court grant its petition and enter an order:

(a) That the Court issue an Order directing Respondent to appear before this Court and to show cause, if there be any, why an Order should not issue directing Respondent to comply with the subpoena;

(b) That, upon return of the Order to Show Cause, an Order issue directing Respondent to comply with the subpoena; and

Dated: December 14, 2022

RESPECTFULLY SUBMITTED,

EQUAL EMPLOYMENT OPPORTUNITY

COMMISSION

/s/ Greger Calhan

Greger Calhan (MN Bar #0398644)

Trial Attorney

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